

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

HYDRO-BLOK USA LLC, et al.,

Plaintiffs,

V.

WEDI CORP.,

Defendant,

V.

## HYDROBLOK INTERNATIONAL LTD.,

### Counter-defendant.

C15-671 TSZ

## MINUTE ORDER

WEDI CORP.,

Plaintiff.

V.

BRIAN WRIGHT, et al.,

## Defendants.

The following Minute Order is made by direction of the Court, the Honorable Thomas S. Zilly, United States District Judge:

(1) wedi Corp.'s motion, docket no. 225, to clarify, or for reconsideration of, the Minute Order entered December 6, 2018, docket no. 219, is DENIED.

(a) The Minute Order at issue makes clear that experts “disclosed” in this matter on or before November 13, 2018, will be considered timely disclosed and will be permitted to testify at trial. Federal Rule of Civil Procedure 26(a)(2) sets forth the standards for “disclosure” of expert testimony. No clarification is required.

(b) With respect to its request for reconsideration, wedi Corp. has not articulated any manifest error in the prior ruling or any new facts or legal authority that could not have been brought to the Court’s attention earlier with reasonable diligence. See Local Civil Rule 7(h)(1). wedi Corp.’s contention that it “held off” disclosing Jeffery A. Stec, Ph.D. as an expert in support of its claims (as opposed to in rebuttal concerning its opponents’ claims) to avoid “running afoul” of the Minute Order entered October 26, 2018, docket no. 181, in which the parties were reminded that the expert disclosure deadline was March 30, 2018, does not ring true. In its motion for extension, docket no. 202, wedi Corp. took the position that, pursuant to Federal Rule of Civil Procedure 26(a)(2)(D)(i), the deadline for expert disclosure was November 13, 2018 (i.e., 90 days before the trial date), instead of the date previously set by the Court. wedi Corp. did not comply with this (now adopted) deadline, not because it thought doing so would violate the Minute Order issued on October 26, 2018, but because it was hoping for an extension to the end of December 2018 or later. In choosing such path, wedi Corp. ignored the advice of Local Civil Rule 7(j), which states, “Parties should not assume that the motion [for extension] will be granted and must comply with the existing deadlines unless the court orders otherwise.”

(2) The Clerk is DIRECTED to send a copy of this Minute Order to all counsel of record.

Dated this 18th day of December, 2018.

William M. McCool  
Clerk

s/Karen Dews  
Deputy Clerk